CANADIAN MOVING PICTURE DIGEST

Vol. 23, No. 12 TORONTO 2, CANADA July 18th, 1931

How would you like a comedy that's "Caught Short" and "Reducing" rolled into one?

Here it is!

Marie **DRESSLER**

Polly **MORAN** *in*

POLITICS

The picture that turns the TALKIES *into* LAUGHIES!

Ask METRO-GOLDWYN-MAYER

PUBLISHED BY

CANADIAN MOVING PICTURE DIGEST COMPANY LIMITED

259 SPADINA AVENUE, TORONTO 2

MISTER FINE DISCUSSES A $2 PICTURE!

Mr. and Mrs. Meyer Fine Previewed Norma Shearer in "A Free Soul"

Mrs. Fine Just Adored It!

Mr. Fine, Who Runs Fourteen Theatres, Got Excited About It!

So He Wrote a Letter Which We Are Proudly Reprinting On This Page!

"I think, without a doubt 'A FREE SOUL' is the greatest Norma Shearer picture that was ever made, and if there ever was a picture that is worth $2.00 admission, 'FREE SOUL' is the picture. Of course, we must not overlook the marvelous work of Lionel Barrymore and Clark Gable.

"It was the most pleasant evening I ever spent viewing a picture in my nineteen years of experience. I am certain that whoever sees 'FREE SOUL' will feel the same way I do about it. It is pictures of this kind that will make box-office records. I hope that Metro will continue the good work that they have in the past seasons."

(*Signed*) **M. S. FINE,** Associated **THEATRES,** *Cleveland, Ohio*

Dear Mr. Fine: You bet we'll continue the good work. Thanks from your friend Leo of M. G. M.

"Follow the Rising Sun of British Production" see Digest Issue July 25th

Canadian Moving Picture DIGEST

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RAY LEWIS
Editor and Managing Director

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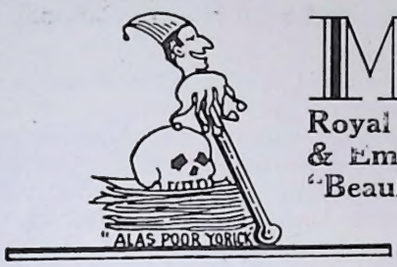
How About the Famous Smell?



MR. I. W. KILLAM, one of the trustees of the Famous Voting Trust, to ensure Canadian control of Famous Players Canadian, president of Royal Securities Corp.; and the alleged owner of the Mail & Empire, had an editorial Friday, July 17th, 1931, headed "Beauharnois Project Smells Rather High."

Evidently Killam's publication did not desire to imitate The Digest in its coinage of phrases; and used this modification of our expression, "It smells to heaven," our favorite one in referring to the Paramount Publix Famous-Players Canadian deal.

For "unmitigated gall" the palm should be given to Killam, for ever since the infamous Famous deal, his publication has continually preached editorially to Canadians, how we should express our Canadianism; what sacrifices we should make in preserving our nationality; and what a grand and glorious patriot one could be, if one could only overcome American influence.

The Beauharnois editorial starts off with, "Premier Bennett is absolutely right in insisting that any Senators whose names have become involved in the Beauharnois affair shall not escape the ordeal of telling what they know."

It is a pity that our Government does not take steps to make Mr. Killam, and all those involved in the infamous Famous deal tell all they know, especially interesting would be the information relative to an alleged agreement between the self-same Mr. Killam and Mr. Zukor, when Mr. Killam exchanged the Famous shares under his control, for four shares of Paramount Publix, previously refusing the cash offer from Gaumont British of $75.00 a share.

What manner of an agreement did Mr. Killam sign with Mr. Zukor? Some time ago we made some comment in connection with the $12,000,000 which the Paramount-Publix must meet in September of 1931, following an arrangement to redeem its shares at $80.00 a share, a transaction which is reported to have covered the acquisition of an American chain of theatres.

May it not be possible that Mr. Killam will receive part of the $12,000,000, and the shares he exchanged, be redeemed at perhaps $75.00, or $80.00 a share? We are inclined to assume $80.00 a share, for despite Mr. Killam's evidence before Commissioner White, that the Voting Trust Agreement was only arranged to protect Mr. Zukor's franchise, it would be too much of a tax upon our imagination, to credit Mr. Killam with giving Mr. Zukor a better deal, than he could have received from the Gaumont-British.

Another quotation from the Beauharnois editorial reads, "So much astonishing evidence has been brought out that the public will not be satisfied unless the whole affair is probed to the bottom." That is exactly how the Public feels about the Famous Players Paramount Publix deal and its Combine. The Government must probe the whole affair to the bottom!

RAY

RAY LEWIS

PRESENTS

"THE VICTORY GROUP" will be presented by Regal Films Limited, in next week's issue of The Digest. Reviewing the titles, we find therein several pictures with which we are familiar, through having seen these pictures at various theatres and studios in London, England.

We are informed that there will be approximately twenty-nine selected British pictures in this group; and if they are all as good as the dozen which we have viewed, or nearly as good, exhibitors will have a British line-up, equal to the million dollar publicity for British pictures, which has covered Canada from coast to coast.

Toronto is still talking about the performance of Norma Shearer in "A Free Soul," and the work of Lionel Barrymore in the same picture. We have heard so much of commercial values in Motion Pictures, and the indifference of executives and officials to the artistic quality of a picture, that it is a delight to extol and expound upon the histrionic values in Metro-Goldwyn-Mayer's "Free Soul," where Norma Shearer, departing from her light-comedy roles, in which she has been delighting her large following, presents an emotional highlight of dramatic acting, which quite substantiates The Digest's contention that Norma Shearer is the most gifted, as well as the most charming of the Screen's Talking Picture artists.

AS FAR back as we can remember, back to the days of the drama, we can recall no finer work which Lionel Barrymore has done than in "A Free Soul." It is interesting to note that it was nearly a Barrymore week in Toronto, recently, for John Barrymore as "Svengali" in the "Trilby" picture, gave us a glimpse, in fact, a substantial close-up of the Art of John Barrymore, which has made his name one of international repute, among lovers of the stage.

We observe that Metro-Goldwyn-Mayer are introducing a new comedy team in Zasu Pitts and Thelma Todd, it is a real combination; and full of the relish of Marie Dressler and Polly Moran, we relish the idea of more of the stuff which can make us fairly ache with laughter. In fact, we laugh in anticipation, thinking of how funny Zasu Pitts always is, and how she has the ability to make you notice and remember her, regardless of the size of her part.

WHILE we are on the subject of shorts, we saw a Pathe-RKO-Van Beuren comedy at Loew's this week, which was, in no uncertain terms, a gem! It is called "Mad Melody," and if exhibitors are looking for a real short feature, do not overlook this one, it was worth the price of admission. Another short series which is worthy of a place on any program, is the "Vagabond Series." Here you have a combination of those qualities in Moving Pictures which furnish the inspiration for our claim that Motion Pictures can be cultural, educational, as well as Entertainment.

The Associated Screen News Limited, Montreal, announces the appointment of Gordon Sparling to take charge of the direction and editing of its commercial Motion Picture production. Mr. Sparling is a Torontonian, a graduate of Toronto University, and a few years ago, he directed a number of plays at Hart House, the Little Theatre of the Toronto University. He was also at one time Film Editor of the Canadian Government Motion Picture Bureau at Ottawa, and for the past two years has been with Paramount at its New York studio.

Associated Screen News Limited, was founded by Mr. B. E. Norrish in 1921, and is reported as the largest all-British organization in the British Empire, devoted to the making of commercial, educational, and industrial pictures. It is under license to the Northern Electric Sound System.

WE NOTE a statement in The Film Daily to the effect that Joseph I. Schnitzer has now the backing of Arthur Loew of Metro-Goldwyn-Mayer, in Schnitzer's declaration that the only solution of the foreign problem is the return to a "closer application of the silent technique, with the presentation of less dialogue." Mr. Arthur Loew states, "What Europe and America need most to-day, in addition to the well-known good five-cent cigar, is more silence, and silent technique in pictures.

"Let's get back to the pantomime which made the Motion Picture Industry. Let's supplement the pantomime with the gifts of speech with which the electrical gods have endowed us. But don't let us talk ourselves to death. American pictures, American technique, and above all, American-made stars are the crying demand throughout the world. The demand is no less now than it was five years ago."

It is several years, since your editor had a heart-to-heart talk with Mr. Sam Morris of Warner Bros., and cited the foreign situation for the distribution of American-made pictures, just as it has developed. Your editor foresaw the very difficulties which have presented themselves, and Mr. Morris was not the only executive with whom your editor conversed, but whom your editor could not convince of the "dangers" ahead.

We now prophecy that the U. S. has lost its opportunity to be the dominant picture force in the world. That national production will in-

(Continued on page 5)

The Digest regrets to report the death of F. R. Lennon, veteran film man familiarly known as "Bud"

The New Film on Broadway

By *Betty Ross*

"FIVE AND TEN," based on Fannie Hurst's story; directed by Robert Z. Leonard; produced by Metro-Goldwyn-Mayer.

The latest story by Fannie Hurst to be reproduced for the talkies by Metro-Goldwyn-Mayer, is "Five and Ten." This originally tells the tale of a very wealthy merchant who is so engrossed with his work and his fast increasing income that he forgets that which is more important, his family.

His wife falls in love with a dashing gigolo, his son becomes a ne'er do well, finally reaching the verge of insanity.

In the book he commits suicide but in this picture a different version is seen of the son's misfortune. Marion Davies has the role of the daughter who is the object of Leslie Howard's attention. He is a young architect.

The play, however, mostly concerns the daughter and the architect, who conduct themselves with a genteel sort of wit. There are misunderstandings, marriages to other people, recriminations and charges. Finally, however, these things being what they are, there is a wedding. But only after the son has tried to kill himself in an airplane, and the mother has tried to run off with her appealing Ramon. The merchant, of course, then realizes the futility of it all.

Mr. Howard adds the usual charming touch which characterizes all of his performances and Miss Davies is equally brilliant in her performance. Irene Rich, Richard Bennett, Lee Beranger and Mary Duncan make a very good supporting cast.

* * * *

"SHERLOCK HOLMES' FATAL HOUR," screen drama, adapted from "The Final Problem" and "The Empty House" by the late Sir Arthur Conan Doyle; directed by Leslie S. Hiscott.

A very fine portrayal of Conan Doyles' famous creation, Sherlock Holmes, with Arthur Wortner in the role, is once more thrilling Broadway.

From beginning to end interest is sustained in the unraveling of a bank robbery, two murders are solved by the agile-minded detective with a skill and ingenuity that even today compels admiration from a public too accustomed to having its mysteries remain unsolved by the police department.

The story opens with an entire sequence made against the black screen. The action expressed only by sound-shuffling feet, stifled cries, a heavy strained silence and then the dying gasps of the victim tell the grisly happenings more poignantly than the full scene enacted before the eye could possibly have done.

Next the story jumps to the drawing room of an English home where four men are playing cards while a lovely girl, the sister of one of them, presides as hostess. The incident immediately focusing the spectator's attention and making him almost forget about the foul play he has just witnessed by means of his auditory senses, is a peculiar bit of business about a card picked up from the floor, upon which hinges the entire solution of the murder.

We are now introduced to Sherlock Holmes, a simple living fellow, wearing the familiar dressing gown and smoking the wide-barred pipe which has come to be associated with him. He and Dr. Watson are seen soon after the story of the bank murder is published. He has just been asked by Scotland Yard to help solve the mystery and is going about it with the utmost ease and casualness, yet signifying in every move his alert, uncanny wisdom.

The conclusion of this involved plot should not be missed and every movie enthusiast will be surprised and delighted with this picture. The cast manages the performance excellently, including Wontner, Leslie Perrins and Norman McKinnell.

Ray Presents

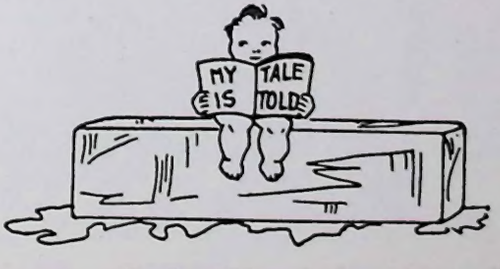
(Continued from page 4)

crease, and that having been taught by the U. S. to find their tongue, the nations of the world will use that tongue for the entertainment of their people upon the Screen; and no one can cut out the tongue of these nations, rendering them "film dumb."

TALKING motion pictures has proved to be the making of the British film. There is not a "crying need" now for American Talking Pictures all over the world. Not even in its stronghold, the American continent, is the U. S. film supreme. Patrons of Motion Pictures are becoming international in their picture tastes, they enjoy the flair of the foreign touch, and despite the statement, made by Josef Von Sternberg, that America has nothing to learn from anyone in respect to Motion Pictures, may we be permitted to recall the contribution by way of German screen technique and interpretation which was made to the U. S. film, not forgetting the invaluable co-operation of the foreign star in U. S. pictures.

The U. S. voice has never been famous for its tonal qualities; and since this quality is indispensable to the success of a Talking Motion Picture, the U. S. film must depend upon a supply of foreign stars to talk for it. It is quite true that the American film star has been the most popular all over the world, but this is because the other nations have not adopted America's aptitude and ability in making Film Stars. It is equally true that the most popular American stars have faded out of the picture with the advent of dialogue.

We will talk to you again about the multilingual question and the necessity for an international viewpoint in respect to the future of the Talking Picture, which every nation is thinking and talking about in its own language.



U.S. Government order Fox and Loew to separate their film interests. What about separating affiliations of Paramount-Publix?

Theatre Not a Private Business States "Saturday Night"

The Toronto Saturday Night has always fought editorially for the freedom of the screen and theatre from foreign domination; and campaigned against the closing of theatres to travelling companies, especially the English players, who under the N. L. Nathanson Management of Famous Players Canadian Corp., frequently visited Canada for tours over the Trans-Canada Chain absorbed by Famous Players.

When Mr. Nathanson resigned his managing-directorship of the Famous Players and the American control assumed complete power, the English tours throughout Canada, were noticeably curtailed, and with but the exception of one or two companies completely abandoned, forcing Canadians to depend, exclusively for theatre entertainment on Paramount-Publix; and since this company has, through representatives, made repeated statements that it is interested only in the Commercial aspect of serving Entertainment, "a hot-dog" classification, providing it makes money being as preferable as a screen classic which makes a lesser profit, we feel with The Saturday Night that such Show Business is not a Private Business.

We have no quarrel with the amusement policy of a company, as long as it keeps "within the law" of public Entertainment, but when a Company assumes the dimensions of being a Combine, in a Nation which is still growing in its national and Empire propensities, this is an entirely different story; and a matter of national concern. We therefor commend our readers to digest this Saturday Night editorial of July 18th, 1931, with which we are in agreement, save that we regard the foreign control of our screen, as detrimental to the interests of Canadianism; and a menace to the establishment of a British Film Market, and a Canadian Theatre Art.

—Editor.

Famous Players Report.

"THE report of Commissioner Peter White, K.C., of Toronto, appointed by the Minister of Labor to ascertain whether a combine existed in the motion picture business in Canada, is the most important document relating to the Canadian theatre yet issued. Its value lies in its detailed picture of the great structure which has obtained practical control over theatrical entertainment in nearly all Canadian centres. The disclosure is made that Famous Players is approximately 94 per cent. in control of an alien corporation, Paramount-Publix of New York, which already holds sway in vast areas of the United States. This information is supplemented by the charge that the organization known as Motion Picture Distributors and Exhibitors of Canada, is in reality but an offshoot of a great U.S. body, headed by Will H. Hays, czar of the U.S. motion picture industry, though it also serves as a donkey engine for the Famous Players Canadian Corporation.

A great network of Canadian subsidiaries is thus, so far as policies are concerned, directed from the offices of Mr. Adolph Zukor (president of Paramount-Publix), on Broadway, Times Square, New York. The Famous Players Canadian Corporation includes among its directorate several very estimable Canadian business men, who do not know and do not profess to know anything about motion pictures or the theatre generally. It happens to have a general manager in the person of Mr. Arthur Cohen, who is possibly the only educated person in America holding a high executive position in connection with motion pictures. But according to the White report, the decisions of Mr. Cohen and his directors are subject to New York control, whose only interest in Canada is the amount of money she can yield them.

The story of how this great structure in which Canada is to all intents and purposes voiceless, was created and obtained power of life or death over all forms of theatrical entertainment in most of the cities of Canada is fascinating and Mr. White describes the methods adopted as "ruthless." American control would not signify so much if it were not for the fact that most of the monarchs of Paramount-Publix are in themselves alien in sentiment and spirit to the finer elements of civilization in their own land. Their aim in endeavoring to secure control of the theatres of Canada and elsewhere has hardly the remotest connection with the art of the theatre. Their interest lies exclusively in endeavoring to ascertain how far entertainment can be cheapened and vulgarized in order to yield a bigger turn-over.

It is of course claimed that they provide cheap entertainment for the masses. But that they love the masses so much as they intimate is at least doubtful. Like Yum Yum they love themselves with "passion tenderer still." They are more candid when they say "We are not philanthropists," though why anyone should boast of that is not clear.

Limits of Recent Probe.

IT WAS perhaps regrettable that the terms of the reference under which Mr. White functioned did not provide for an enquiry into the effect of the alleged combine on dramatic production and touring companies in general. The original application to the Department of Labor a few weeks before the death of the King administration, and which was granted by the Bennett administration subsequently, confined the enquiry to the motion picture industry.

But the report shows conclusively how such an organization arbitrarily conducted can be used to drive touring companies from this country. It is regrettable also that the terms of the reference did not permit of a survey of the conditions that have resulted from the affiliated theatrical monopolies in various States of the American union. Sufficient is disclosed to show that public interest has never entered the thoughts of these mushroom monopolists. They fight like quaggas among themselves, but it is never a fight for fair play or better entertainment.

The writer of this editorial has been rather indifferent as to how far the kind of men who control the motion picture industry in its many ramifications plotted to "restrain" each other. But even from the standpoint of the motion picture "fan" Mr. White's report shows that conditions are far from desirable. Excellent films produced not merely in Great Britain, but in the United States, France and Germany have been kept out of the important theatres of this country by this combine. The British phase of the question is of high importance. Until a short time ago, British films were in the main inferior to the United States product. To-day conditions have wholly changed. The British "talkie" has gone forward with leaps and bounds, from the standpoint of quality and popularity and is becoming an effective competitor with the Hollywood product in every European country. It was natural that the Paramount Publix should desire to check its inroads in such a sympathetic field as Canada; and it will be the business of the Canadian people to see that such efforts are not tolerated in future."

(Continued in Issue, Digest, July 25th)

The Digest received Twenty-four Editorials in one week from Canadian Press condemning the Combine

Killam's Publication Decries Party Influence Demands Protection for Innocent Public Investors

IT WOULD be a pity to deprive our subscribers of a further review of the Beauharnois editorial, appearing in Mr. Killam's publication, as mentioned in our editorial. Having read the evidence during the Public Hearings, under Government Investigation of Famous Players, Paramount-Publix, etc., etc., and the headlines in the press from coast to coast, throughout Canada, when Commissioner White made known his Report, not forgetting the information imparted by Minority Shareholders of Famous Players, when they were deluded into buying shares for Canadian control of Famous Players, and subsequently sold out, for purely selfish and greedy motives, the Public, part of which constitutes our readers, should learn to judge "preaching hypocrites" and take such editorials with a "grain of salt."

KILLAM'S publication editorially states, "It is greatly to be regretted that this major, necessary and ably conceived project (the Beauharnois) should have been made the medium of undue profits, some of which may have been legal and others illegally obtained." What about Canada's National Screen and a Canadian dominant theatre chain, necessary, major and also ably conceived?

Another quote, "According to the evidence thus far produced, the Beauharnois scandal makes the Pacific scandal sink into utter insignificance." May we add that if the Beauharnois evidence can equal the evidence as disclosed in the Combine Government Investigation of Motion Pictures, it will be obliged to "go some."

ANOTHER interesting sentence in this "righteous" editorial is this one, "One man made nearly a million dollars by investing $200,000 and another secured $3,000,000 for the worthless charter of a company nominally capitalized at $2,500." How about the eight million which Mr. Zukor and his company received for an investment in Famous Players Canadian of $100,000; and incidentally study these figures taken from The Report on page 12, referring to the New York Corporation, Paramount-Publix, formerly Famous Players-Lasky Corp., which reads, "The New York Corporation agreed to pay to the Canadian Corporation $3,720,000 in deferred payments, and in consideration of this the Canadian Corporation agreed to issue to the New York Corporation:

40,000 First Preference shares.....$4,000,000
10,000 Second Preference shares....$1,000,000
75,000 Common shares $7,500,000
Making a total of $12,500,000.

THERE is no mention of the approximate sum of $600,000 which Famous Players Canadian was to pay for the Paramount Franchise, nor the fact that this was what Mr. Zukor and his company invested, together with the previously mentioned $100,000, but since the $600,000 was paid to Mr. Zukor, it left but $100,000 in the Famous Players, as Mr. Zukor's actual investment.

More quotes, "The whole enterprise from its inception seems to have been set about and bled white by greedy politicians and lawyers with influence at Quebec and at Ottawa, under the old regime."

And what influence has Mr. Killam's lawyers and associates been endeavoring to utilize in Quebec and at Ottawa, not overlooking Toronto and several of the provinces across the Dominion?

WE WOULD particularly like Mr. Symington of Montreal, who drew up the Voting Trust agreement, etc., it is said, to read what Mr. Killam has to say about the "old regime," so dear to the heart of this Montreal lawyer.

But let us read on from the Beauharnois editorial in Mr. Killam's paper, "It is a crime if, in a time when so many decent people are hard put to it to make a living a handful of political and legal sharks have thus been able to enrich themselves through the undue influence which they possessed at party headquarters."

What about the widows, stenographers and women employed in the pursuit of their daily bread, who invested their little savings in Famous Players Canadian Corp., because they were induced to invest in a Canadian-owned and controlled company, Canadian-advertized as a surety for their investment.

IS IT a pity and a crime that these were forced to accept shares in an American company, judged to be operating in Restraint of Trade in its own country; and found guilty of being a Combine in Canada!

Is it a pity and a crime that shares were sold to these under false pretences, and that the controlling interests protected their own interests, at the sacrifice of those who gave them the capital with which to build for millions of profits, the spoil of the directors and officers.

Is it a crime that Canada's Screen has been betrayed, sold out for "thirty pieces of silver" to foreign-control, that Canadians have been ruthlessly eliminated from this Industry, Independent producers and distributors; and that The Digest, Canada's one Motion Picture Trade Journal has been the target for elimination through threats, restraint of trade, etc., etc., because The Digest fought for the survival of Independents, for British pictures and a Canadian-controlled Screen in Canada!

MR. KILLAM expounding in his publication of "undue influence at party headquarters" when he and his associates and interests have endeavored to utilize "every political string which could be pulled" in order to appear "whiter than snow" in the Government's Investigation.

It is enough to make The Dead rise in their indignation and their wrath to read such hypocritical cant as, "The Government is, therefor, justified in pursuing this matter to the utmost limit. It is obliged to leave no stone unturned in order that the truth may appear — embarrass whom it may."

If the Government will only take the above advice, from Mr. Killam's Beauharnois editorial, and apply it to investigating the infamous Famous deal, following up Commissioner White's suggestion on what a fuller investigation would disclose, Mr. Killam will not only be embarrassed, but petrified.

WE WILL use no further quotations, "enough is sufficient," it has been said, save that to state, that the editorial mentions the "obligation of protecting innocent investors," of "saving the Beauharnois project from collapse and abandonment," the futility of another public appeal for finance through the "unsavory disclosures," but we will quote from the closing sentences, which goes for the "electorate," in respect to "cleaning up the Combine Mess," "We are not going too far when we say that he (referring to the Prime Minister) has cart blanche from the electorate to clean up the whole

(*Continued on Page* 8)

Carl Laemmle announces $1,000,000 to Production Budget

Show Business

(Special to Digest from Winnipeg)

COMMENTING on the report of Peter White, K.C., of Toronto, investigating an alleged combine in moving pictures in Canada, the Free Press of Winnipeg, under the caption, "Future of Our Motion Picture," said editorially July 8—

"Even admitting, as will readily be done, that the quality of moving picture and talking productions has greatly and steadily improved during the past ten years, the news that a combine controls ninety-five per cent. of the distribution of films in Canada presents a prima facie case that the situation of this combined art and industry is not a healthy or desirable one. The combine has also secured a dominant position in the control of theatres in all the larger Canadian cities. These are the findings of Mr. Peter White, K.C., whose report made under the Combines Investigation Act has just been issued.

"So far as Winnipeg is concerned, practically all the pictures heralded as worth while have been shown in local theatres, and most of them have been shown not very long after their first release from the studios. This suggests that, combine or no combine, the Winnipeg public is getting as good service as it is reasonable to expect. But satisfactory as this may be, it is not ultimately desirable that this important form of entertainment should be under such centralized control as apparently exists.

"At present the big Hollywood producers turn out more than 90 per cent. of the best pictures, and these are shown. But what would be the position were other independent producers to begin consistently producing pictures as good as or better than the Hollywood brand? Would these then be shown here? This is more doubtful. The British film industry is at present making great strides, and may be expected to make even greater progress in the future. Would it then be probable that these British products would crowd out the screens of local theatres owned in great measure by rival producing firms? It is not at all likely. At present the best British pictures are shown. But how far would the present controllers of the theatres allow these to be exhibited to the detriment of their own products? It would be at that stage of the game that the bad influence of a combine would immediately make itself felt on the industry as an art, which after all is the important element in the situation to bear in mind. It is then that the policies and influence of the existing controllers of the business could use their power to keep the standard of productions at a level no better than those maintained by their Hollywood studios. It is then, also, that the policy of crowding out possible competitors would have a definitely bad influence, and the public interest would become involved in a way which is not present just now.

Some traces of the effects of this policy have already been seen in the gradual death of the "legitimate drama" as shown by professional touring companies in Canada. Evidence has been produced which suggests that the policy of moving picture companies in buying out "legitimate" theatres has been one among several factors to remove this possible serious source of competition with Hollywood. If this weapon has been used in one direction, it is easy to see that it could be used in another.

"Nor is the news heartening of the close connection between the United States and the Canadian distributors, with its allied propagandizing organizations. Canadians rightly resent any suggestion that the Dominion must be considered only a merchandizing annex of the United States. We have, and we maintain, a different background and a different ideology from our close neighbor across the line. We consider this worth while. It is, therefore, a matter of keen interest to everyone in the country to see to it that the avenues of approach towards the development of our distinctive culture are left open, and are not clogged or definitely closed by the influence of important financial interests in another land."

The report of Peter White, K.C., as Commissioner under the Combines Investigation Act, establishes the fact that a combine exists in the Motion Picture Industry in Canada, and that one company, with its various associates, dominates the situation in all towns of 10,000 or more population and has almost a complete monopoly in all important centres. This is an editorial statement in the Tribune Daily newspaper, Winnipeg, one of the Southam chain.

"It is possible that this conclusion looks more dangerous than it really is," this paper continues "The exact degree of iniquity of any combine must be determined not by the mere fact of existence, but by its consequences.

"If a motion picture combine or monopoly worked out along the lines of bringing the best pictures to Canada and permitting their exhibition to the Canadian public at a reasonable cost, that combine might have aspects of benignity. Or even if the combine merely shouldered out pictures of lesser importance from the studios of lesser American producing companies, it would not be dangerously malignant.

"But, as it appears from Mr. White's very capable report, the present combine goes beyond that.

"According to the Commissioner, the present system holds up prices to the public and delays the second showings of good pictures in independent houses.

"These, of course, are iniquities. But the prime iniquity lies in the fact that the Combine has operated most strenuously against the showing of British pictures in Canadian theatres. This is an unforgiveable offence."

Killam's Publication Demands Protection Innocent Investors

(Continued from Page 7)

mess in a manner which will conduce to the national welfare."

And now may we ask Mr. Killam, why his publication was conspicuous in its absence of an editorial in connection with the Combine findings, when The Toronto Evening Telegram, The Toronto Daily Star and The Globe, the three other Toronto dailies, were unafraid, not only to report, but like the editorials across Canada, sum up editorially the substance of Commissioner White's findings, and what these findings meant to Canada.

Col. W. H. Price has appointed Mr. Richard Greer, K.C. as Counsel for Province in Combine prosecution

Toronto Theatres

LOEW'S — Manager Jules Bernstein — "Never the Twain Shall Meet," a Metro-Goldwyn-Mayer production with Leslie Howard, Conchita Montenegro, and Karen Morely. The story is a drama of the South Sea Islands, and of the deterioration of a white man who takes up his abode with the natives. Tamea, daughter of a South Sea Islander, on the death of her father is entrusted to the care of Dan, the son of a wealthy shipowner. Dan becomes infatuated with Tamea, breaking his engagement with Maisie. When Dan's father sends Tamea away, Dan, forgetting "East is East and West is West" follows her and takes up his life with the natives in her island home. Slowly but surely he falls into the ways and habits of the natives and begins to lose all self-respect. He is saved just in time by Maisie, who comes and asks him to return with her, as she still loves him. Dan leaves the island and the girl, Tamea, and once more returns to civilization. Directed by W. S. Van Dyke from the story by Peter B. Kyne.

UPTOWN—Manager Tom Daley — Mary Astor and Jack Holt in "White Shoulders," the story of a husband's revenge. Out of a job and financially embarrassed, Norma Selbee, decides to join her friend Marie and crash a party given by Gordon Kent. Kent immediately falls in love with Norma and asks her to marry him, and although she does not return his love, Norma accepts. Gordon and Norma leave for Europe on their honeymoon; and all is serene until Norma meets Ricardo Cortez who persuades her to go to Paris with him. Gordon is furious, and hires detectives to investigate his wife's past life. The investigation reveals that Norma has not a legal divorce from her former husband, and also that her companion is a criminal with a very black record. Kent visits his wife and tells her of Cortez' record, which she does not believe until later when Cortez proves his guilt by stealing some of her jewels. She returns to the States and once more goes on the stage where she meets her former husband. In order to avoid a scandal Norma is willing to return to him, at the sacrifice of her own happiness. Cortez and Norma's husband plan to steal her jewels, but Cortez double-crosses the husband, kills him, and is taken to jail. Norma returns to Kent. A Radio picture, directed by Melville Brown.

IMPERIAL—Manager H. V. Knevels—"Sweepstakes," with Eddie Quillan. Quillan, a jockey, is discharged for breaking rules. He takes a position with another stable, on the condition he does not ride in the biggest race of the season; as he does not wish to race against his former employer. However, he is forced into the race, and realizing that he has been double-crossed, holds back his horse and loses the race. Quillan is suspended and cannot find work anywhere. He meets a former trainer of his, who wants him to ride Six Shooter, an old favorite. Eddie refuses, but is finally persuaded when he finds that the heroine, Marion Nixon, has pooled her savings to enter the horse in the sweepstake. The horse wins, Eddie is reinstated and marries Marion. Directed by Albert Rogell for R.K.O. Pathe.

TIVOLI—Manager Jimmy Lynch—A First National picture, "Chances" with Douglas Fairbanks, Jr. A wartime picture of two brothers who both love the same girl. The hero, Douglas Fairbanks, Jr., gives up the girl for his brother, Anthony Bushell, but later finding that she loves him promises to tell Bushell. They have a misunderstanding which is all cleared up when Douglas risks his life to save his brother. The brother dies and Douglas returns and marries the heroine. Directed by Alan Dwan.

SHEA'S—Manager Jerry Shea—"Big Business Girl," a First National picture with Loretta Young. Having graduated from College the Hero and Heroine enter the business world. The hero goes to Paris to play in an orchestra and the heroine enters the advertising game. The hero, lonely, returns to America, and the heroine thinking he does not want to make good is very disappointed. They have a great many quarrels, but are finally reconciled. Directed by William A. Seiter.

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Round About the Studios

The fastest speed ever photographed, except with cameras equipped for scientific work, will be filmed in the production of "Hell Divers," Metro-Goldwyn-Mayer's drama of naval aviation.

Aerial torpedoes, hurled from diving planes to a condemned battleship used as a target in naval maneuvers, will be filmed in their flight. Use of the new supersensitive film which has figured in a number of startling novelties recently at the M-G-M studios, will make possible the photography of these missiles, which travel faster than a .22 caliber bullet.

Warner Oland does not portray an Oriental villain in his featured role with Bill Boyd in RKO Pathe's the "Big Gamble." He plays a mysterious man of wealth who directs human beings and situations to strange ends. In this Octavus Roy Cohen story.

Altho' he has specialized to a great extent in Oriental characterizations, Oland has played every type of screen menace role. Among his Oriental parts have been portrayals of the title role in the Fu Manchu series. Recently, he departed from his usual type of part to play the Chinese detective in "Charley Chan Carries On."

Susan Fleming, ex-Follies girl, recently "discovered" by Columbia, will soon be seen in her fourth role for the company, with Buck Jones in "Border Law." Her first was with Eddie Buzzell in "Kings or Better," followed by roles in "Lover Come Back" and "Arizona."

Universal has purchased the talking rights to the McCall serial feature, "Heart and Hand," by Olive Edeson. It will be utilized as the vehicle for the Walter Huston picture which Universal will produce and which William Wyler will direct. Incidentally, it is being adapted to the screen by John Huston, son of the star, who has been loaned to Universal.

John Ford has completed "The Brat," the Fox adaptation of Maude Fulton's stage triumph, featuring Sally O'Neil, Allan Dinehart, Frank Albertson, Virginia Cherrill, June Collyer and William Collier, Sr.

"Hell Divers" is the title of Wallace Beery's new starring vehicle at the Metro-Goldwyn-Mayer studios, and the supporting cast now being assembled for the picture is headed by Clark Gable, who rose to prominence by his sensational work in "A Free Soul;" Conrad Nagel, John Miljan and Cliff Edwards.

George Hill, who directed Beery in "The Secret Six" is directing the new film, which will have some of the most daring pictorial sequences yet attempted in talking pictures.

John Gilbert started last week at Metro-Goldwyn-Mayer in "West of Broadway," an original story by Bess Meredyth and Ralph Graves, with dialogue from the pen of Gene Markey.

Harry Beaumont will direct the attraction, and Lois Moran has been given the chief feminine role.

After a period away from talking pictures, producing his own operetta, "Lavendar Patch," Sydney Bracey, prominent character actor, is again before the microphone.

He has been signed by Edgar Selwyn for an important character role in "Lullaby," the new Helen Hayes production at Metro-Goldwyn-Mayer, which Selwyn is directing.

Dr. Walter E. Meanwell, who is to basketball what Rockne was to football, has arrived at Universal City with eight members of the University of Wisconsin basketball team. Sam Friedman, who directed the Notre Dame football shorts, will make four basketball pictures for Christy Walsh's All-America Sports Reel Series.

Helen Twelvetrees in her new dramatic picture, "A Woman of Experience," an R.K.O. Pathe production.

Arthur Hoyt, Bud Jamieson, Ted Mangean and Bud Fine have been added to the cast of "Accidents Will Happen," an RKO Pathe comedy which will star Benny Rubin. The production is being directed by Ralph Ceder.

Frank McGlynn, Jr., has been assigned a role in "Riders of the Purple Sage" by FoxFilms. This is George O'Brien's next picture.

A motion picture adaptation written and approved in Minneapolis, Minn., is the talkie version of "The Guardsman," which is the initial screen venture of the famous stage co-stars, Alfred Lunt and Lynn Fontanne.

The story behind this statement is that it was necessary to prepare the adaptation of "The Guardsman" well in advance so that it might be ready to place into work the minute the stars were able to complete a road tour of "Elizabeth, the Queen" and come to the M-G-M studios.

Earl Derr Biggers is in Honolulu to write another story about Charlie Chan, the popular Chinese detective. It will be called "Charlie Chan's Chance" and will be made into a taking picture by the Fox Film Corporation.

"Sporting Blood" has been selected as final title for the Metro-Goldwyn-Mayer racing melodrama that was provisionally known as "Horseflesh."

This picture, based on a Saturday Evening Post story by Frederick Hazlitt Brennan, was directed by Charles Brabin, with a cast headed by Clark Gable, Lew Cody, Madge Evans, Ernest Torrence and Marie Prevost.

The chief equine star of the film is Tommy Boy, Agua Caliente winner. Many of the scenes for the story were made on location in and around Lexington, Kentucky.

Columbia's "Shot Gun Pass," the Tim McCoy outdoor drama, got under way in the studio this week, where they will spend a few days before leaving for location. Virginia Lee Corbin plays the feminine lead.

Madge Evans, Dorothy Jordan and Anita Page have been given the three leading roles in "Boarding School," the original story about prep school life which will soon get under way at the Metro-Goldwyn-Mayer studio.

The picture will be directed by Harry Pollard, whose recent Lawrence Tibbett production, "The Prodigal," is a current countrywide release.

Roland Brown, who suddenly jumped from the Fox lot to that of Universal, is plunging into work immediately. Carl Laemmle has commissioned Brown to adapt, with Bob Tasker and Richard Schayer, his own original story, "Gallows," which he will later direct.

Harry Sweet is directing "Camping Out," an RKO Pathe comedy short, which will star Edgar Kennedy. In the cast are Walter Catlett, Billy Eugene and Dot Farley.

With the signing of Louis Hickus, the cast of "Border Law," Columbia's latest Buck Jones outdoor "special," has been completed. Louis King is directing the red-blooded action drama and an imposing cast surrounding Jones, includes: Lupita Tovar, James Mason, Frank Rice, Don Chapman, F. R. Smith, and John Wallace.

Arthur Edeson, who filmed "All Quiet on the Western Front," was given an opportunity by James Whale in "Waterloo Bridge" to do a unique bit of photography. It constituted the final scenes in "Waterloo Bridge," which were shot last week. They had to do with a typical English musical comedy revue. James Whale had engaged thirty-five girls from the Hollywood Music Box Theatre for the shots.

Lucille La Verne has been signed for a mother role in "She Wanted a Millionaire," Fox picture in which Joan Bennett and James Kirkwood will be featured.

David Rollins, popular young juvenile, has been signed by Hal Roach to appear in one of the new series of "Boy Friend" comedies.

The new story, as yet untitled, will go into production early this week under the direction of George Stevens. The cast will include Mary Kornman, Mickey Daniels, Gertie Messinger and "Alabam" Sutton.

Montreal Gazette Editorial "So far as public concerned, there is everything to be gained and nothing to be lost by unshackling the industry"

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Ann Harding
in "DEVOTION" (temporary title) and three more outstanding productions.

Eddie Quillan
in the sensational race track story, "THE BIG GAMBLE," and three more stirring dramas.

Constance Bennett
in four outstanding pictures, the first of which is "THE COMMON LAW," a production that will smash house records.

Helen Twelvetrees
in "A WOMAN OF EXPERIENCE," a sensational production. This will be followed by three more pictures of equal box office value.

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